

REMARKS

Upon entry of the foregoing claim amendments, Claims 1-9 and 11-23 remain pending. Claim 10 has been canceled without prejudice or disclaimer. Claims 1, 4, 6, 11, 15, 16, 19, 20, 21 and 23 have been amended.

Objection to Claims

The Examiner objects to Claim 1 because in line 11, "date field" should read "data field." Applicant has amended Claim 1 to correct this inadvertent typographical error. Applicant has also corrected the same inadvertent typographical error in Claim 4.

Applicant acknowledges the Examiner's statement that Claims 6, 10, 15, 19, 20 and 23 would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten Claims 6, 15, 19, 20 and 23 into independent form. Additionally, Applicant has amended Claim 1 to incorporate the features recited in Claim 10. Accordingly, Applicants respectfully submit that Claims 1-9, 15, 19, 20 and 23 are in condition for immediate allowance.

Rejection of the Claims

Claims 1, 3-5, 7-9, 11-14, 16-18, and 21-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 2003-0214953 in view of US 6,606, 670 and further in view of US 5,311,172. Additionally, Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over US 2003-0214953 in view of US 6,606, 670 and US 5,311,172, and further in view of US 5,619,726.

Claims 1, 3-5 and 7-9

Applicant has amended Claims 1, as discussed above, and therefore submits the rejection of Claims 1, 3-5 and 7-9 is moot.

Claim 2

Claim 2 depends directly from Claim 1. As noted above, Claim 1 now incorporates the features of Claim 10 and, accordingly, is allowable for the above stated reasons. Claim 2 thus is likewise in condition for immediate allowance for at least the same reasons as amended Claim 1, as well as on its own merit.

Claim 11

Applicant has amended Claim 11 to recite, among other features, that “the network [is] configured at least to control a plurality of engines that power a watercraft with at least two of the terminal nodes controlling the respective engines, the discriminative number of each of the terminal nodes that controls each one of the engines being different from one another, and each of said terminal nodes that control the engines having an identifier field that is the same,” which Applicant respectfully submits is not taught or suggested, among other things, by the cited references. For example, none of the cited references disclose a multiple node network for a watercraft, nor controlling a plurality of engines with terminal nodes that have the same identifier field but different discriminative numbers allotted to the engines. Accordingly, Applicant respectfully submits that amended Claim 11 is allowable over the cited art. Claims 12-14 depend from amended Claim 11 and are therefore likewise allowable over the cited art, not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art.

Claim 16

Claim 16 has been amended to recite “[a] communication method between a plurality of nodes in a network configured at least to control a plurality of engines that power a watercraft, the nodes including terminal nodes and a management node configured to communicate with the terminal nodes ,at least two of the terminal nodes controlling the respective engines, the method comprising creating a frame that includes at least an identifier field and a data field, the data field having a discriminative code, each one of the terminal nodes that controls each one of the engines having the same identifier field and having a different discriminative code, transferring the frame to the management node from at least a plurality of the terminal nodes, comparing the identifier field of one terminal node with the identifier field of another terminal node to arbitrate between the terminal nodes in contention when the terminal nodes simultaneously transfer the respective frames to the management node, determining whether the arbitration fails, re-sending the frames to the management node from the terminal nodes when the arbitration has failed, calculating a time delay based upon at least a portion of each one of the discriminative codes, and delaying the re-sending of the frames from each terminal node in contention by the calculated time delay,” which Applicant respectfully submits is not taught or suggested by the cited art. As

noted above, none of the cited references disclose a multiple node network configured at least to control a plurality of engines that power a watercraft, nor controlling the plurality of engines with terminal nodes that have the same identifier field but a different discriminative code. Accordingly, Applicant respectfully submits that amended Claim 16 is allowable over the cited art. Claims 17 and 18 depend from amended Claim 16 and are therefore likewise allowable over the cited art, not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught or suggested by the cited art.

Claim 21

Claim 21 has been amended to recite “[a] communication method between a plurality of nodes in a network configured at least to control a plurality of engines that power a watercraft, the nodes including terminal nodes and a management node configured to communicate with the terminal nodes, each one of the terminal nodes belonging to a component of a system, at least two of the terminal nodes controlling the respective engines, the method comprising creating a frame that includes at least a data field having a discriminative number allotted to the component, each one of the terminal nodes that controls each one of the engines having an identifier field that is the same as one another and having a discriminative number that is different from one another, transferring the frame to the management node from at least some of terminal nodes, repeating the transferring of the frames to the management node from a plurality of terminal nodes when a contention arises that cannot be solved by arbitration, calculating a time delay based upon at least a portion of the discriminative number, and delaying the repeated transfer of the frames from the terminal nodes in contention by the calculated delay time,” which Applicant respectfully submits is not taught or suggested by the cited art. As discussed above in connection with Claim 16, none of the cited art teaches or suggests a multiple node network configured at least to control a plurality of engines that power a watercraft, nor controlling the plurality of engines with terminal nodes that have the same identifier field but a different discriminative number. Accordingly, Applicant respectfully submits that amended Claim 21 is allowable over the cited art. Claim 22 depends from amended Claim 21 and is therefore likewise allowable over the cited art for at least the same reasons as amended Claim 21.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance. Furthermore, any remarks in support of patentability of one claim should not be imputed to any other claim, even if similar terminology is used. Any remarks referring to only a portion of a claim should not be understood to base patentability on that portion or that the limitation discussed is essential or critical; rather, patentability must rest on each claim taken as a whole. Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although changes to the claims have been made, no acquiescence, disclaimer or estoppel is intended or should be implied thereby; such amendments are made only to expedite prosecution of the present application and are without prejudice to the presentation or assertion, in the future, of claims relating to the same or similar subject matter. Applicant may not have presented in all cases, arguments concerning whether the applied references can be properly combined or modified in view of the deficiencies noted above, and Applicant reserves the right to later contest whether a proper reason exists to combine or modify these references.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped

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issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

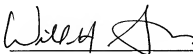
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

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